

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

MARIA ELENA SOTO REYES,)	
)	
Plaintiff,)	
)	
v.)	
MACARTHUR CRUTCHER, and KEITH)	No. 2:21-cv-2644-SHL-cgc
ALAN ADAMS,)	
)	
Defendants.)	
)	

ORDER TO REMAND

This matter came before the Court on October 13, 2021 by way of a Notice of Removal by Defendant Macarthur Crutcher. (ECF No. 1.) Defendant Crutcher filed an Answer to the Complaint on October 18, 2021. (ECF No. 7.)

In his Notice of Removal, Defendant stated that this Court has original jurisdiction of this action under 28 U.S.C. § 1332(a)(1) and (c) as the lawsuit is between citizens of different states, and the amount in controversy exceeds the sum of \$75,000, exclusive of interest and costs. Indeed, Plaintiff Soto Reyes is a resident citizen of Marshall County, Mississippi; Defendant Crutcher is a resident citizen of Fayette County, Tennessee; Defendant Keith Adams is a resident of Crittenden County, Arkansas; and the two members of Defendant Trans-One, LLC – Alex Blankenship and Simona Blankenship – are both resident citizens of Crittenden County, Arkansas. (ECF No. 1 at PageID 2.) However, according to 28 U.S.C. § 1441(b)(2), “[a] civil action otherwise removable solely on the basis of the jurisdiction under section 1332(a) of this title may not be removed if any of the parties in interest properly joined and served as defendants is a citizen of the State in which such action is brought.” This case is brought in Tennessee, and

the removing Defendant, Macarthur Crutcher, is a citizen of Tennessee. (ECF No. 7.) Thus, this Court does not retain jurisdiction over this case, and it must be remanded.

The Court therefore **REMANDS** the case to the Circuit Court of Shelby County, Tennessee.

IT IS SO ORDERED, this 19th day of October, 2021.

s/ Sheryl H. Lipman

SHERYL H. LIPMAN
UNITED STATES DISTRICT JUDGE